

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Lisa Randle,)
Plaintiff,) C/A No. 3:05-2581-CMC-JRM
v.) OPINION AND ORDER
Historic Columbia Foundation,)
Defendants.)

Plaintiff, proceeding *pro se*, filed this action against her former employer, Defendant Historic Columbia Foundation (“HCF”), and three named individuals claiming violations of Title VII, the Age Discrimination in Employment Act and 42 U.S.C. § 1985(3) as well as a civil conspiracy under South Carolina law. The individual Defendants, the § 1985(3) claim, and the civil conspiracy claim were dismissed by order filed July 18, 2006. The sole remaining Defendant, HCF, filed a motion for sanctions seeking dismissal based on Plaintiff’s failure to cooperate in discovery. Plaintiff did not file a response to the motion.

In accordance with this court’s order of reference, 28 U.S.C. § 636(b)(1)(A) and (B) and Local Rule 73.02(B)(2)(e) and (g), D.S.C., this matter was referred to United States Magistrate Judge Joseph R. McCrorey for pretrial matters and a Report and Recommendation.

This court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See 28 U.S.C. § 636(b)*. The court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Based on his review of the record, the Magistrate Judge has recommended that Defendant HCF's motion for sanctions be **granted** and the complaint **dismissed with prejudice**. The Magistrate Judge notified Plaintiff of her right to file objections to the Report and Recommendation and the serious consequences if no objections were filed. Plaintiff has not filed objections to the Report and Recommendation and the time for doing so has expired.

After reviewing the complaint, the motion, the record, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

IT IS HEREBY ORDERED that Defendant HCF's motion for sanctions is **granted** and the complaint is **dismissed with prejudice**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
May 10, 2007

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